

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Hon. Robert J. Jonker

v.

Case No. 1:19-cr-00111

JEREMY MICHAEL GAGLIRADO,

Defendant.

ORDER OF DETENTION

This matter is before the Court on the government's motion for pretrial detention. Defendant has been charged in a two-count Indictment. Count 1 charges him with felon in possession of a firearm and ammunition, in violation of 18 U.S.C. §§ 922(g)(1), and 921(a); and count 2 charges him with possession of a controlled substance with intent to distribute, in violation of 21 U.S.C. § 841(a)(1). Given the nature of the charges in count 2, there is a statutory rebuttable presumption in favor of detention.

The government sought defendant's detention on the basis he is a danger to the community, 18 U.S.C. § 1342(f)(1), and that he poses a risk of non-appearance, 18 U.S.C. § 3142(f)(2)(A). The Court conducted a hearing on May 13, 2019, at which defendant was represented by counsel.

Having considered the information presented at the hearing, the parties' oral

submissions, and the information in the Pretrial Services Report, and for the reasons stated on the record, the Court finds that defendant has rebutted the presumption of detention regarding risk of non-appearance but has not rebutted the presumption regarding danger to the community. The Court also finds, as explained on the record, that the government has sustained its burden of proving, by clear and convincing evidence, that defendant poses a danger to the community. Further, the Court finds that there is no condition or combination of conditions of release that will ensure the safety of the community. Accordingly,

IT IS ORDERED that defendant is committed to the custody of the Attorney General pending trial.

DONE AND ORDERED on May 13, 2019.

Date May 13, 2019

/s/ Phillip J. Green
PHILLIP J. GREEN
United States Magistrate Judge